

# EXHIBIT E

*More Adams*

T H E

# Statutes at Large,

F R O M

## MAGNA CHARTA,

T O T H E

END of the LAST PARLIAMENT, 1761.

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I N E I G H T V O L U M E S

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By OWEN RUFFHEAD, Esq;

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L O N D O N :

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MDCC LXIII.

3621



## C A P. XVII.

Indictments in the Sheriffs Turn shall be by Roll indented.

32 Co. 43.

ITEM the King commandeth, That the Sheriffs and Bailiffs of Franchises, and all other that do take Indictments in their Turns, or elsewhere, where Indictments ought to be made, shall take such Indictment by Roll indented, whereof the one Part shall remain with the Indictors, and the other Part with him that taketh the Inquest; (2) so that the Indictments shall not be imbezilled as they have been in Times past, and so that one of the Inquest may shew the one Part of the Indenture to the Justices, when they come to make Deliverance.

33 Ed. 1. stat. 1.

c. 13. 1 Ed. 4.

c. 2. directs In-

dictments taken in

the Sheriff's

Turns to be delivered to Justices of the Peace of the same County; and see farther 11 H. 7. c. 15.

Memorandum quod ista duo statuta precedentia missa fuerunt in Hiberniam in forma patentis cum quodam brevi inferius sequenti<sup>a</sup>.

Ex Rot. in Turr. Lond.

ITEM le Roi comande qe les viscontes & bailifs des franchises & toutz autres qe parnent enditementz a lor tourns ou aillours ou enditementz ferrount faitz preignent tieux enditementz par roule endente dount lune partie demoege vers les enditours & lautre partie devers cely qi prendra lenqueste issint qe les enditementz ne soient beseleez come avant ces heures ont este & issint qe un de lenqueste peut monstrier lune partie de lendenture a la Justice quant il vendra pur la delivrance faire.

*Statutes made at Northampton in tribus septimanis Paschæ, Anno 2 EDW. III. and Anno Dom. 1328.*

OUR Lord King EDWARD the Third after the Conquest, at his Parliament holden at Northampton, at the Three Weeks of Easter, in the Second Year of his Reign, desiring that the Peace of his Land, and his Laws and Statutes ordained and used before this Time may be kept and maintained in all Points (2) to the Honour of GOD and of Holy Church, and to the common Profit of the People, (3) by Assent of the Prelates, Earls, Barons, and other great Men, and all the Commonalty summoned to the same Parliament, hath ordained and established in the said Parliament these Things underwritten, in Form following.

Ex Rot. in Turr. Lond. m. 28.

NOSTRE Seign' le Roi EDWARD le tierz apres le conquete a son parlement tenuz a Northampton as trois semeins de Pasch lan de son regne secund desiraunt qe la pees de sa terre & les leis & estatuz avant ces heures ordenez & usez soient gardez et meintenuz en touz poyntz al honour de Dieu et de seinte eglise et a commune profit du poeple par assent des Prelatz Countes et Barons et autres grantz et tote la communalte du Roialme au dit parlement somons ordena et establitz en meisme le parlement les choses soutescrites en la forme qe sensuit.

## C A P. I.

A Confirmation of the Great Charter, and the Charter of the Forest.

FIRST, That the Great Charter, and the Charter of the Forest, be observed in all Points.

EN primes qe la Grante Chartre & la Chartre de la Foreste soient tenuz en touz pointz.

## C A P. II.

In what Cases only Pardon of Felony shall be granted. Who shall be Justices of Assise, &c.

ITEM, Whereas Offenders have been greatly encouraged, because the Charters of Pardon have been so easily granted in Times past, of Manslaughters, Robberies, Felonies, and other Trespasses against the Peace; (2) it is ordained and enacted, That such Charter shall not be granted, but only where the King may do it by his Oath, that is to say, where a Man slayeth another in his own Defence, or by Misfortune. (3) And also they have been encouraged, because that the Justices of Gaol-delivery, and of Oyer and Terminer, have been pro-

ENsment pur ceo qe meffesours ont este esbauditz de ceo qe chartres de pardon ont este si jegerment grantees avant ces heures des homicides roberies felonies & autres trespas countre la pees acorde est & establi qe tiels chartres ne soient mes grantees fors qen cas ou le Roi le poet faire par son serment cest assavoir en cas ou home tue autre soi defendant ou par infortune. Et auxint ont este esbauditz de ceo qe Justicerias as deliverances des

In what Cases

only the King's

Pardon shall be

granted.

Chart. de Pard.

Br. 10.

2 Salk. 499.

6 Ed. 1. stat. 1.

c. 9. 27 Ed. 1.

c. 4. Confirmed

by 10 Ed. 3.

stat. 1. c. 2.

Enforced by 14

Ed. 3. stat. 1.

c. 15.

Regist. 309.

<sup>a</sup> Note; The Writ here spoken of is not to be found upon the Roll.

*Ex Rot. in Turr. Lond.*

gaoles procurez cointre forme de lestatut fait en temps le Roi EDWARD Ael nostre Seigneur le Roi qore est en quele est contenuz qe les Justices as assises prendre assignez fils soient lais facent les delivances et si lun soit clerc & lautre lais qe le dit lais affocie a lui un autre du pays facent la delivrance des gaols par quei acorde est & establi qe tiels Justiceries ne soient mes grantees cointre la forme du dit estatut & qe les assises atteintes & certifications soient prises devant les Justices communement assignez qe soient bones gentz & loialx & conissantz de la lei & nemie autres solonc la forme dun autre estatut fait en temps meisme le Ael Et qe les oiers et terminers ne soient grantees forsque devant les Justices de lun Baunk & de lautre ou les justices errantz & ce pur led & orrible trespas & de lespecialie grace le Roi solonc forme de statut de ce ordene en temps meisme le Ael & nemie autrement.

conring Justices of Assise 4 Ed. 3. c. 2. 20 Ed. 3. c. 3 & 6. 6 R. 2. c. 5. 8 R. 2. c. 2. 11 R. 2. c. 11. 20 R. 2. c. 3. 14 H. 6. c. 3. 33 H. 8. c. 24. sect. 1. 1 Geo. 1. c. 45. 21 Geo. 2. c. 12. sect. 1.

cured by great Men against the Form of the Statute made in the xxvii Year of the Reign of King EDWARD, Grandfather to our Lord the King that now is, wherein is contained, that Justices assigned to take Assises, if they be Laymen, shall make Delivrance; and if the one be a Clerk, and the other a Layman, that the Lay-judge, with another of the Country associate to him, shall deliver the Gaols: (4) Wherefore it is enacted, That such Justices shall not be made against the Form of the said Statute; (5) and that the Assises, Attaints, and Certifications be taken before the Justices commonly assigned, which should be good Men and lawful, having Knowledge of the Law, and none other, after the Form of another Statute made in the Time of the said King EDWARD the first. (6) And that the Oyers and Terminers shall not be granted but before Justices of the one Bench or the other, or the Justices Errants, and that for great Hurt, or horrible Trespases, and of the King's special Grace, after the Form of the Statute thereof ordained in Time of the said Grandfather, and none otherwise.

Who shall be Justices of Assise and Gaol-delivery.

13 Ed. 1. stat. 1. c. 30. 12 Ed. 2. stat. 1. c. 3. 4.

To whom Oyers and Terminers shall be granted, and for what cause.

Regist. 124, 206. 13 Ed. 1. stat. 1. c. 29.

See farther concerning Justices of Assise 4 Ed. 3. c. 2. 20 Ed. 3. c. 3 & 6. 6 R. 2. c. 5. 8 R. 2. c. 2. 11 R. 2. c. 11. 20 R. 2. c. 3. 14 H. 6. c. 3. 33 H. 8. c. 24. sect. 1. 1 Geo. 1. c. 45. 21 Geo. 2. c. 12. sect. 1.

## C A P. III.

No Man shall come before the Justices or go or ride armed.

ENfement acorde est & establi qe nul grant ne petit de quele condition qil soit sauve les Serjantz le Roi en la presence le Roi & les Ministres le Roi enfesantz execution des mandementz le Roi ou de leur office & ceux qi font en leur compaignies eidantz as ditz ministres & auxint autri de fait darmes de pees & ce en lieux ou tielx faitz se feront soit si hardi de venir devant les Justices le Roi ou autres Ministres le Roi enfesantz leur office a force & armes ne force mesner en affrai de la pees ne de chivaucher ne daler arme ne de nuit ne de jour en faires marcheas nen presence des Justices ne dautres Ministres ne nule part aillours sur peins de perdre leur armures au Roi & de leur corps a la prison a la volente le Roi. Et qe Justices le Roi en leur presences viscountes & autres Ministres le Roi en leur baillies seignours des franchises et leur baillifs en yceles et Meire et Baillifs des Citees et Burghs deinz meismes les Citees et Burghs Burghaldres constables et gardeins de la pees deinz leur gardes eient poair affaire execution de cest acorde. Et qe les Justices assignez a leur venu en pais eient poair denquere coment tielx Ministres et seignours ont use leur office en ce et de punir ceux qils troveront qi nount mie fait ce qe a leur office appent.

ITEM it is enacted, That no Man great nor small, of what Condition soever he be, except the King's Servants in his Presence, and his Ministers in executing of the King's Precepts, or of their Office, and such as be in their Company assisting them, and also \* upon a Cry made for Arms to keep the Peace, and the same in such Places where such Acts happen, be so hardy to come before the King's Justices, or other of the King's Ministers doing their Office with Force and Arms, (2) nor bring no Force in affray of the Peace, (3) nor to go nor ride armed by Night nor by Day, in Fairs, Markets, nor in the Presence of the Justices or other Ministers, nor in no Part elsewhere, upon Pain to forfeit their Armour to the King, and their Bodies to Prison at the King's Pleasure. (4) And that the King's Justices in their Presence, Sheriffs, and other Ministers in their Bailiwicks, Lords of Franchises, and their Bailiffs in the same, and Mayors and Bailiffs of Cities and Boroughs, within the same Cities and Boroughs, and Borough-holders, Constables, and Wardens of the Peace within their Wards, shall have Power to execute this Act. (5) And that the Justices assigned, at their coming down into the Country, shall have Power to enquire how such Officers and Lords have exercised their Offices in this Case, and to punish them whom they find that have not done that which pertained to their Office.

3 Inst. 160. 5 Co. 71. 3 Mod. 117.

\* Those of Feats of Arms of Peace.

7 Ed. 1. stat. 1. Enforced by - R. 2. c. 13. 20 R. 2. c. 1.

## C A P. IV.

A Confirmation of the Statute of *Lincoln*, concerning the Sufficiency of Sheriffs, &c.

ET pur ce qe la pees ne poet mie estre bien garde sauntz bons ministres come viscountes baillifs & hundreders qi doivent faire execution auxibien des priveitez le Roi come dautres choses tochantes le Roi & son poeple acorde est & establi qe lestatut fait en temps le Roi EDWARD pere le

ITEM, Because the Peace cannot be well kept without good Ministers, as Sheriffs, Bailiffs, and Hundreders, which ought to do Execution as well of the King's Privities as of other Things touching our Lord the King and his People; (2) it is ordained and established, That the Statute made in the Time

of